

Translation

PATENT COOPERATION TREATY

PCT/JP2003/008846



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008846	International filing date (day/month/year) 11 July 2003 (11.07.2003)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC H04N 1/00, 1/32, G06K 9/00, G06T 1/00, 7/00		
Applicant TAKIDA, Yoshiaki		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>62</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input checked="" type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 11 July 2003 (11.07.2003)	Date of completion of this report 16 September 2004 (16.09.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 8,12-14,27-28, as originally filed
 pages _____, filed with the demand
 pages 1-7,9-11,15-26,29-48, filed with the letter of 10 May 2004 (10.05.2004)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-33, filed with the letter of 10 May 2004 (10.05.2004)
- ☒ the drawings:
 pages 1-4,7-10,12, as originally filed
 pages _____, filed with the demand
 pages 5-6,11,13,14-16, filed with the letter of 10 May 2004 (10.05.2004)
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

The group 1 inventions (claims 1-14, 16-20, 32-33) pertain to a device and method for sending and receiving image data files created by scanning and reading an image over the Internet.

The group 2 inventions (claims 15, 21-23) pertain to a portable Internet terminal device.

The group 3 inventions (claims 24, 26-28) refer to character image identification, and pertain to a method of authenticating an individual by identifying handwriting in a signature image, or a device and method for collecting and tabulating election ballots by reading images of election ballots and identifying the characters of candidate names, etc. inscribed therein.

The group 4 invention (claim 25) refers to identifying iris image data, and pertains to a method of authenticating an individual by identifying iris image data taken with a camera.

The group 5 invention (claim 29) pertains to a device provided with OCR software that converts a document image data file to a text file.

The group 6 inventions (claims 30-31) pertain to a device equipped with a function to provide automatic notification when there is a connection between a server and an Internet terminal device.

Of the group 1 and group 3 inventions, the inventions of claims 24 and 28 have a common point – sending and receiving image data files via the Internet – but that point would be obvious to a person skilled in the art and is not novel.

Also, the invention of claim 24 in the group 3 inventions and the invention of group 4 have a common point – identifying image data in order to authenticate an individual – but the concept of identifying whether or not image data is specific to an individual in order to authenticate an individual would be obvious to a person skilled in the art, and this common point is not novel.

Comparing the inventions of group 2, group 5, and group 6 to the inventions of other groups, there does not appear to be a shared technical point of particular novelty.

In conclusion, the inventions of groups 1-6 do not have a technical relationship involving one or more of the same or corresponding special technical features as specified in PCT Rule 13.2, and this international application does not satisfy the requirement of unity of invention.

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	5-8, 10, 12-14, 26-28	YES
	Claims	1-4, 9, 11, 15-25, 29-33	NO
Inventive step (IS)	Claims		YES
	Claims	1-33	NO
Industrial applicability (IA)	Claims	1-33	YES
	Claims		NO

2. Citations and explanations

- Document 1: JP, 2001-313777, A (RICOH COMPANY, LTD.), 09 November 2001 (09.11.01), claims 1-7, paragraphs [0021]-[0065], Figs. 1-8
- Document 2: JP, 2001-217983, A (NEC CORPORATION), 10 August 2001 (10.08.01), claims 1-4, paragraphs [0012]-[0097], Figs. 1-13
- Document 3: JP, 2002-149575, A (CANON INC.), 24 May 2002 (24.05.02), claims 1-10, paragraphs [0001]-[0074], Figs. 1-8
- Document 4: JP, 2001-245344, A (NTT DOCOMO INC.), 07 September 2001 (07.09.01), claim 1, paragraphs [0017]-[0021], [0059]-[0089], Fig. 1, Figs. 5-10
- Document 5: JP, 2001-052182, A (NIPPON TELEGRAPH AND TELEPHONE CORPORATION), 23 February 2001 (23.02.01), claims 1-9, paragraphs [0091]-[0098], Fig. 1, Figs. 11-12
- Document 6: JP, 10-011574, A (YASHIMA DENKI K.K.), 16 January 1998 (16.01.98), claims 1-4, paragraphs [0001]-[0025], Figs. 1-11
- Document 7: JP, 2003-085148, A (WASEDA UNIVERSITY), 20 March 2003 (20.03.03), claims 1-7, paragraphs [0001]-[0398], Figs. 1-21
- Document 8: JP, 2002-259981, A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.), 13 September 2002 (13.09.02), claims 1-15, paragraphs [0001]-[0123], Figs. 1-24
- Document 9: JP, 2001-017411, A (OKI ELECTRIC INDUSTRY CO., LTD.), 23 January 2001 (23.01.01), claims 1-7, paragraphs [0008]-[0223], Figs. 1-12
- Document 10: JP, 2000-005149, A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.), 11 January 2000 (11.01.00), claims 1-4, paragraphs [0025]-[0067], Figs. 1-2
- Document 11: JP, 2000-172762, A (GLORY LTD.), 23 June 2000 (23.06.00), claim 1, paragraphs [0016]-[0080], Figs. 1-15
- Document 12: JP, 09-212699, A (TOSHIBA CORPORATION), 15 August 1997 (15.08.97), claims 3-6, paragraphs [0045]-[0110], Figs. 1-15
- Document 13: JP, 07-073254, A (K.K. SEIJI KOHO CENTER), 17 March 1995 (17.03.95), claims 1-4, paragraphs [0008]-[0035], Figs. 1-8
- Document 14: JP, 06-035937, A (K.K. SEIJI KOHO CENTER), 10 February 1994 (10.02.94), claims 1-6, paragraphs [0012]-[0049], Figs. 1-5

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PCT/JP03/08846**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1-4, 33

Sending and receiving an image data file created by scanning and reading an image or an ordinary data file via the Internet is described in documents 1-2. Setting a facsimile or telephone number, etc. as the destination and converting it to an Internet address would be obvious to a person skilled in the art. Also, a device and method for saving and managing sent and received files would be obvious to a person skilled in the art. Therefore there is no novelty or inventive step.

Claims 5-6

While the point about appending "fax" to the start of a domain is novel, the format basically remains something consisting of domain and ID, and providing additional detail on the destination by adding a dot to the domain and adding a subdomain is ultimately obvious to a person skilled in the art. Therefore "fax" is merely something that determines the destination or sending. Therefore there is no inventive step.

Claims 7-8

Adding information to the sending destination data to indicate the sending format would be obvious to a person skilled in the art. Therefore there is no inventive step.

Claims 9, 11, 16-20, 32

Sending an image data file via the Internet is described in documents 1-2. Also, sending an image data file and saving it in an external memory device and doing this as a series of operations would be obvious to a person skilled in the art. Therefore there is no novelty or inventive step.

Claims 10, 12-14

Documents 1-2 as well as document 3 describe the concept of automatically printing when electronic information such as image information is received via the Internet. Combining image data file sending and receiving via the Internet with automatic printing and arriving at an image sending/receiving device such as a facsimile machine would be obvious to a person skilled in the art. Therefore there is no inventive step.

Claims 15, 21-23

Document 4 describes a portable terminal device, capable of communication, equipped with a removable wireless communication unit. Making an Internet terminal that communicates via a wireless communication unit would be obvious to a person skilled in the art. A portable terminal that can handle image data files in various formats would also be obvious to a person skilled in the art. Therefore there is no novelty or inventive step.

Claims 24-25

Document 5 pertains to a system that connects a user-side terminal and a center-side terminal via a network, and describes the point sending data such as the user's handwriting, iris image, etc. to the center side and comparing it against registered data and thereby authenticating the user. Likewise, document 6 describes the point about authenticating by identifying an individual based on image data of a signature, etc. It would be obvious to a person skilled in the art that a signature image can be read by a scanner and sent to a distant location via a communication path such as the Internet for identification. Therefore there is no novelty or inventive step.

Claims 26-28

Documents 11-14 describe the point about reading images of ballots and recognizing characters and tabulating the ballot contents, etc. Using the Internet as a communication medium in order to collect image data on ballots would be obvious to a person skilled in the art. Therefore there is no inventive step.

Claim 29

Processing to recognize characters in a document image data file and converting it to a text data file would be obvious to a person skilled in the art. Therefore there is no novelty or inventive step.

Claims 30-31

Providing notification when there is a connection between a server and an Internet terminal would be obvious to a person skilled in the art. Therefore there is no novelty or inventive step.